

FILED
DISTRICT COURT OF GUAM
SEP -2 2004
MARY L. M. MORAN
CLERK OF COURT

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DISTRICT COURT OF GUAM
TERRITORY OF GUAM

THE ESTATE OF OLIMPIO MONTOYA,
By and Through ALFREDO ESPIRITU
MONTOYA, Special Administrator,
ANDREA MONTOYA, Surviving Spouse,
RAYMUNDO E. MONTOYA, JOSÉFINA
AGUILAR, BAYANIE MONTOYA,
JULIETA M. REYES, ALFREDO
ESPIRITU MONTOYA and OLIVER
MONTOYA, Surviving Children,

Civil Case No. 04-00018

Plaintiffs,

vs.

MINUTES

CONTINENTAL AIRLINES, INC.,
CONTINENTAL MICRONESIA, INC.,
and DOE INSURANCE
COMPANIES I through V,

Defendant.

- () SCHEDULING CONFERENCE () PRELIMINARY PRETRIAL CONFERENCE
- () FINAL PRETRIAL CONFERENCE () SETTLEMENT CONFERENCE
(September 2, 2004)

Notes: The Scheduling Conference commenced at approximately 10:05 a.m. Attorney William Gavras, the Special Administrator Alfredo E. Montoya, Juanita S. Montoya, and Attorney David Ledger appeared before Magistrate Judge Manibusan in chambers.

At approximately 10:35 a.m., Magistrate Judge Manibusan requested that I, Judith P. Hattori, join counsel and parties in chambers for the limited purpose of taking minutes relating to

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1 representations to be made by counsel and Mr. Montoya.

2 Attorney Gavras represented that he spoke with all the plaintiffs in this case and stated
3 that if the Special Administrator agreed to the terms of a settlement, all the plaintiffs would also
4 agree to accept said terms. Attorney Gavras stated that the Special Administrator would also
5 make the same representation. Special Administrator Alfredo E. Montoya agreed with Attorney
6 Gavras.

7 Attorney Ledger then stated that all the plaintiffs and the Special Administrator also
8 made the same representation as to a formal settlement agreement and a Rule 41 dismissal.
9 Attorney Ledger stated that if the Superior Court of Guam were to inquire into or consider a
10 settlement agreement reached in this case, none of the plaintiffs would challenge the settlement
11 agreement in the Superior Court action. Attorney Gavras concurred with Attorney Ledger's
12 statements. Special Administrator Alfredo E. Montoya did not object to Attorney Ledger's
13 statements.


14 Thereafter, I left chambers, and counsel, the parties, and Magistrate Judge Manibusan
15 continued with the Settlement Conference.

16 Dated: September 2, 2004

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18 _____
19 JUDITH P. HATTORI
20 Law Clerk

21 APPROVED AS TO FORM:

22 
23 _____
24 WILLIAM L. GAVRAS, ESQ.

25 
26 _____
27 DAVID P. LEDGER, ESQ.

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